

KPO/2019R00588

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon.  
v. : Crim. No. 21-*729(ZNQ)*  
JASON KSEPKA : 16 U.S.C. §§ 3372(d)(2)  
: and 3373(d)(3)(A)(i)

**I N F O R M A T I O N**

**(Violation of the Lacey Act)**

The defendant having waived in open court prosecution by indictment,  
the Acting United States Attorney for the District of New Jersey charges:

**Background**

1. At all times relevant to this Information:
  - a. Defendant JASON KSEPKA (“defendant KSEPKA”) was a resident of Farmingdale, New Jersey.
  - b. Rhinoceros iguanas were listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

**The Lacey Act**

- c. The Lacey Act made it a crime to knowingly make or submit a false record, account, or label for, or any false identification of, any wildlife which was intended to be transported in foreign commerce. *See* 16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(A)(i).

**False Shipping Label**

d. On or about November 7, 2017, defendant KSEPKA placed in shipment, from Lambertville, New Jersey, to Hong Kong, a package containing ten live rhinoceros iguanas via U.S. Priority Mail Express. Defendant KSEPKA falsely described the contents of the package as "Toys" and the sender as "Luke Jacobs" on a U.S. Postal Service International Shipping Label and Customs Form that was affixed to the package.

e. On or about November 8, 2017, U.S. Fish and Wildlife Service Inspectors intercepted the package at the mail facility at John F. Kennedy International Airport and recovered ten live rhinoceros iguanas from inside the package.

2. On or about November 7, 2017, in Hunterdon County, in the District of New Jersey, and elsewhere, defendant

**JASON KSEPKA**

knowingly made and submitted a false record and label, namely a U.S. Postal Service International Shipping Label and Customs Form, for ten rhinoceros iguanas which were intended to be transported in foreign commerce.

In violation of Title 16, United States Code, Sections 3372(d)(2) and 3373(d)(3)(A)(i).

**FORFEITURE ALLEGATION**

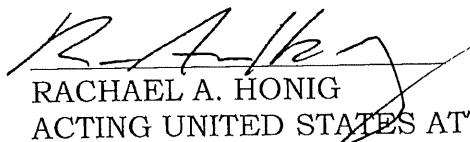
1. As a result of committing the Lacey Act offense alleged in the Information, defendant KSEPKA shall forfeit to the United States, pursuant to 16 U.S.C. § 3374 and 28 U.S.C. § 2461(c), any and all wildlife imported, exported, transported, sold, received, acquired, or purchased contrary to the provisions of 16 U.S.C. § 3372, and the regulations issued pursuant thereto, namely, ten rhinoceros iguanas.

**SUBSTITUTE ASSETS PROVISION**

2. If by any act or omission of the defendant any of the property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of such defendant up to the value of the above-described forfeitable property.

  
RACHAEL A. HONIG  
ACTING UNITED STATES ATTORNEY



**U.S. Department of Justice**  
*United States Attorney  
District of New Jersey*

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August 19, 2021

William T. Walsh, Clerk  
U.S. District Court  
Martin Luther King, Jr. Building  
50 Walnut Street  
Newark, NJ 07102

Re: Request for Case Assignment

Dear Mr. Walsh:

Please accept this letter as a request that the matter of United States v. Jason Ksepka be assigned to a district judge.

A copy of the proposed Information and a cover sheet are enclosed.

Thank you.

Very truly yours,

RACHAEL A. HONIG  
Acting United States Attorney

/s/ *Kathleen P. O'Leary*

By: Kathleen P. O'Leary  
Assistant U.S. Attorney

Enc.

cc: Linda Foster, AFPD